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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,227	08/28/2003	Liam Mannion	920476-94734	6366
23644	7590	02/23/2006	EXAMINER	
BARNES & THORNBURG, LLP P.O. BOX 2786 CHICAGO, IL 60690-2786			NGUYEN, MY XUAN	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 02/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/650,227	Applicant(s) MANNION ET AL.	
	Examiner My X. Nguyen	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to applicant's amendment filed on 12/05/2005. Claims 1-8 and 10-15 are now pending in the present application. This action is made **final**.

Specification

1. The following objection(s) have been **withdrawn** by examiner:

The abstract of the disclosure is objected to because of the spelling of "labour, centre, and centres."

The disclosure is objected to because of the following informalities:

- a. The title of the invention, the field of the invention, the background of the invention, the object to the invention, the summary of the invention, the brief description of the drawings, and the detailed description of the invention are objected to because of the spelling of "centre and/or centres" throughout each section.
- b. The use of acronyms should be fully described before further use in the disclosure. The use of SMS and IP should be fully described (Background of Invention, Page 1 Lines 21 and 26). The use of PSTN should also be fully described (Detailed Description of Invention, Page 10, Line 8).

- c. The acronym CLAN is described having two different meanings: inter-contact center server and customer LAN (Detailed Description of Invention, Page 9, Line 10 and 17). Applicant needs to clarify the meaning of the acronym CLAN.

Claim Objections

2. The following objection(s) have been **withdrawn** by examiner:

Claims 1, 3, 5, 6, and 8-15 are objected to because of the following informalities:

- a. The spelling of "centre and/or centres." See objection of abstract above.

Drawings

3. The following objection(s) have been **withdrawn** by examiner:

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- a. Figure 2: 17 (Referring to CLAN: Page 10, Lines 16 and 21), ELAN 16 (Page 10, Line 18), trunks (Page 10, Line 29),

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The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- a. Figure 1: Enterprise Voice, 16, M1, SCCS1, SCCS2, SCCS3, and SCCS4.
- b. Figure 2: MCDN (NACD), ICC, ITR (nsbr), SFI (Reserve), M1, SCCS1, SCCS2, SCCS3, SCCS4, NARs, and NARRs.

Claim Rejections - 35 USC § 112

4. Claim 6 recites the limitation "(iii)." There is insufficient antecedent basis for this limitation in the claim.

5. The following rejection(s) has been **withdrawn** by examiner:

Claims 1 (subpart 3), 3 (subpart 3), 7, 10 (subpart 3), and 11 (subpart 3) recites the limitation "reservation requests." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,844,982 issued on December 1, 1998 (Knitl).

As to claims 1, 3, 5, 7, and 8, Knitl teaches a method that relates to a group of agent communication terminal apparatus that are distributed over several communication systems, read as a contact center, of a communication network in which an incoming call is given to any of the contact centers (Abstract, Lines 1-4). Knitl further teaches reserving a determined agent given the availability of one of the agents, read as sending a reservation request to other contact centers, and the indicated criteria for the selection of the agent is arbitrary or in which no incoming call has been switched to the indicated free agent for the longest time interval, read as routing the received contact to a specified intrinsic of an agent or to the nodal longest idle agent (Col. 3, Lines 14-17, 54-55, 65-67, Col. 4, Lines 6-10).

As to claim 4, Knitl teaches that after the determination of a communication system signaling a free agent terminal communication apparatus, read as determining

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the specified intrinsic agent, a reservation release is formed, read as canceling of the reservation (Col. 3, Lines 19-22, 28-32).

As to claim 6, Knitl teaches the reservation of the agent is removed after a predetermined time interval, read as a reservation being received in a pre-specified time interval (Col. 3, Lines 40-41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl and further in view of U.S. Patent 6,526,397 issued February 25, 2003 (Chee et al.)

Regarding claim 2, the teachings of Knitl have been discussed above. What Knitl does not explicitly teach is using the specified agent intrinsic of average answer delay and calls queued count.

However, Chee et al. teaches the use of the specified intrinsic of number of calls waiting in each skillset (queue) of each application, read as calls queued count, and average answer delay on each skillset for each application (Col. 4, Lines 7-8, 14-15).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to implement the specified intrinsic of average answer delay and calls queued count in the invention of Knitl because the feature of using said specified intrinsic is well known in the prior art. Since Knitl identifies criteria of an agent that is arbitrary, it would not matter if Knitl uses criteria that include average answer delay and calls queued count. The motivation to view arbitrary criteria as average answer delay and calls queued count is to adequately provide the most beneficial criteria that suits the goals of the network of contact centers that utilizes the invention of Knitl.

8. Claims 10-15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl and further in view of U.S. Patent 6,522,743 issued on February 18, 2003 (Hurd).

Regarding claims 10 and 11, the teachings of Knitl have been discussed above in the rejections of claims 1 and 3-8. What Knitl does not explicitly teach is a contact center that comprises: an input arranged to receive a contact, an output arranged to send a reservation request, a second input to receive the reservation request, and a processor arranged to route the contact to specified agent.

However, Hurd discloses in the background of the invention a contact center in which an incoming call could be initially received (input arranged to receive a contact), a transfer of the call to another contact center (output to send reservation request), and additional lines for the call to be sent back to the receiving center (second input to receive reservation request) (Col. 1, Lines 32-52). Using a processor arranged to route the contact to one of the agents is inherent.

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have implemented such a feature in the invention of Knitl because the feature of using a contact center with said inputs and outputs is well known in the prior art. Because Knitl already teaches the output and retrieval of reservation requests for agents that have a specified intrinsic, it would not matter whether Knitl uses a contact center with said inputs and outputs because it is old and well known in the prior art. The motivation to combine a contact center with said inputs and outputs with the invention of Knitl is to efficiently utilize all available agents and ensure the equality of sharing work with all agents (load balancing).

As to claim 12, Knitl and Hurd already teach multiple contact centers. For the reasons given above regarding claim 11, each of the multiple contact centers would be like those.

As to claims 13-15, Knitl teaches such an arrangement (Fig. 1, Col. 4, Lines 50-51).

Response to Arguments

Applicant's arguments filed 12/05/2005 have been fully considered but they are not persuasive.

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9. Regarding claims 1-8 and 10-15 with respect to Section 6 and 7 of applicant's Remarks, Knitl discloses incoming calls are switched to a free agent communication terminal apparatus of a communication system (Col. 2 Lines 8-15). Also Knitl discloses for an incoming call to the communication system for which there is no longer a free agent in the allocated group of this communication system, requests are formed and transmitted to other communication systems. The implications of what is disclosed in the system and method of Knitl suggest after an initial search of a free agent within the original communication system, read as the claimed source contact center, additional requests are distributed to other communication systems. Since the original communication system searches for a free agent within its own communication system, this is read as the claimed sending a reservation request from the source contact center to itself.

In response to applicant's argument that the references fail to show certain features of applicant's invention (regarding Section 6 of applicant's Remarks), it is noted that the features upon which applicant relies (i.e., plurality of contact centers including the source contact center forms a virtual contact center) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

10. In response to applicant's argument that the references fail to show certain features of applicant's invention (regarding Section 9 of applicant's Remarks), it is noted

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that the features upon which applicant relies (i.e., all agents in the entire network can be judged against each other to make the routing decision for a particular contact...no possible agent is excluded and all agents are judged for availability etc on the same basis at the same time) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

11. Regarding the applicant's argument to claim 7 in section 11 of the Remarks, Knitl discloses after a determination of several free agent communication terminal apparatus of a group, that free agent communication terminal apparatus is selected to which no incoming call has been switched during the largest time interval (Col. 3 Lines 49-57), read as the claimed contact is associated with a specified network skillset and wherein said reservation request is also for agents of that specified skillset.

12. Regarding the applicant's argument to claim 6 in section 12 of the Remarks, Knitl teaches a predetermined time interval in the communication systems, read as the claimed target contact centers, that transmit a response to the requesting communication system, read as the claimed source contact center (Col. 3 Lines 40-42). This reads on the claimed receiving at the source contact center is carried out in a pre-specified time interval. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a timer at the source contact center which waits for target contact

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centers to respond) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.X.N.
02/17/2006


DUC NGUYEN
PRIMARY EXAMINER